CHAPTER 25
DRAFT PROPOSED RULES
OCTOBER 23, 2023

SUBCHAPTER 1. GENERAL PROVISIONS

PART 3. DEFNITIONS

165:25-1-11. Definitions

In addition to the terms defined in 17 O.S. §§ 303 and 348, the following words or terms, when used in this Chapter, shall have the following meaning unless the context clearly indicates otherwise:

"Agent" means a person authorized by another to act on their behalf, either out of employment or contract.

"Airport" means landing facility for aircraft that are routinely available for public use (whether routinely used or not). Airports as used in this Chapter do not include private airstrips or private airports.

"Airport hydrant system" means an underground storage tank system which fuels aircraft and operates under high pressure with large diameter piping that typically terminates into one (1) or more hydrants (fill stands). The airport hydrant system begins where fuel enters one (1) or more tanks from an external source, such as a pipeline, barge, rail car, or other motor fuel carrier.

"ATG" means automatic tank gauge.

"Ball float functionality" means the ball float is operational as designed.

"BTEX" means benzene, toluene, ethylbenzene and xylene.

"Bulk plant" means a petroleum storage tank facility where regulated substances are received by tank vessels, pipelines, tank cars or tank vehicles and are stored or blended in mass quantities or bulk for the purpose of distribution by a tank vessel, tank car, tank vehicle, portable tank or other container, for wholesale or retail sale.

"Cathodic protection" means a technique designed to prevent the corrosion of a metal surface by making that surface the cathode of an electrochemical cell. For example, protection can be accomplished with an impressed current system or a galvanic anode system.

"Change in service" means a change in the status of a storage tank (i.e., from currently in use to temporarily out of use); or change of regulated substance that a storage tank contains.

"Commission" or **"OCC"** means the Oklahoma Corporation Commission.

"Compatible" means the ability of two (2) or more substances to maintain their respective physical properties upon contact with one another for the design life of the petroleum storage tank system under conditions likely to be encountered in the system.

"Corrosion expert" means an individual having the requisite knowledge, experience, certification, and training to design~~,~~ and install~~, test, and maintain~~ corrosion protection systems.

"EPA" means the United States Environmental Protection Agency.

"Electronic signature" means an electronic signature as defined in OAC 165:5-1-3.

"Farm tank" is a tank located on a tract of land devoted to the production of crops or raising animals, including fish, and associated residences and improvements. A farm tank must be located on the farm property. "Farm" includes but is not limited to fish hatcheries, rangeland, and nurseries with growing operations.

"Field constructed tank" means a tank constructed in the field such as a tank constructed of concrete that is poured in the field, or a steel or fiberglass tank primarily fabricated in the field.

"Financial responsibility" shall have the same meaning in this Chapter as in 40 CFR 280 Subpart H.

"Financial security" means holding financial security in a tank system or facility site and is not considered ownership of a tank system unless certain criteria of 40 CFR 280 Subpart H is met.

"Fleet and Commercial" means any facility as defined in this Chapter that uses underground storage tanks to store regulated substances for use in its own vehicles or equipment.

"Flow-through process tank" means a tank that forms an integral part of a production process through which there is a steady, variable, recurring or intermittent flow of material during the operation of the process. Flow-through process tanks do not include tanks used for the storage of materials prior to their introduction to the process or for the storage of finished products or by-products from the production process.

"Formal Enforcement Action" means the process of ensuring compliance with Commission regulations, rules, orders, requirements, standards, and/or state law when a violation occurs and PSTD initiates an enforcement Complaint under the contempt procedure in Oklahoma Administrative Code (OAC) 165:5 Subchapter 19 to be heard at the Commission by an Administrative Law Judge or the Commissioners.

"Gathering lines" means a gathering line or gathering system as defined in OAC 165:45-1-2.

"Important building" means a building that is considered not expendable in an exposure fire.

"Inert material" means a solid, motionless substance that is neither chemically nor biologically reactive, is denser than water, and will not decompose. Examples of inert material include sand and concrete, or as otherwise approved by PSTD staff.

"Lender liability" shall have the same meaning in this Chapter as in 40 CFR 280 Subpart I.

"Licensed Environmental Consultant" means an individual who has a current license issued by PSTD to perform corrective action.

"Maintenance" means the normal operational upkeep necessary to prevent a petroleum storage tank system from releasing product.

"Marina" means any fuel storage tank system located on or by the water for the purpose of fueling watercraft.

"Observation well" means a cased and screened boring or drilled hole, installed within the tank excavation or piping trench that can be used for the continuous or periodic evaluation of groundwater quality or the detection of soil vapors as a method of release detection.

"OCC Licensed Tester" or **"licensed tester"** means an individual who has a current license issued by PSTD to perform tank system testing.

"Operational life" means the period beginning from the time installation of the tank or system is commenced until it is properly closed or removed as provided for in this Chapter.

"Operator" means any person in control of or having responsibility for the daily operation of the storage tank system, whether by lease, contract, or other form of agreement. The term "operator" also includes a past operator at the time of a release, tank closure, violation of the Oklahoma Petroleum Storage Tank Consolidation Act, or a rule promulgated thereunder, or a requirement of the Commission. In the case of a storage tank system in service/use before November 8, 1984, but no longer in service/use on that date, the last person to operate the storage tank system immediately before the discontinuation of its service/use.

"Out of Order tag" means tag, device or mechanism on the tank fill pipe that clearly identifies an underground storage tank as ineligible for delivery of product.

"Owner" means any person as set forth in 17 O.S. § 303(27), including the real property owner where the storage tank system is still present, the storage tank system presence is a trade fixture or improvement or both. It is not necessary that the real property owner sold, used, or stored regulated substances in, of, or from the storage tank system. However, a real property owner who has a storage tank system located on their property that was taken out of service/use prior to November 8, 1984, is not considered to be a storage tank owner for any PSTD regulated purpose.

"OWRB" means the Oklahoma Water Resources Board.

"Permanent out of use" or **"POU"** means a petroleum storage tank system that is not in service/use, does not contain regulated substances, and is not intended to be placed back in service/use.

"Private airport" means an airport used only by its owner and regulated as a fleet and commercial facility.

"Private airstrip" means a personal residential takeoff and landing facility part of the airstrip owner's residential property.

"PSTD" means Petroleum Storage Tank Division.

~~**"Recalcitrant owner"** means an owner/operator who is responsible for a tank system and after notice will not adhere to a PSTD enabling statute, Commission rule, requirement, or order.~~

"Regulated substance" means antifreeze, motor oil, motor fuel, gasoline, kerosene, diesel or aviation fuel as set forth in 17 O.S. § 305. It does not include compressed natural gas, liquid natural gas or propane.

"Release detection" means the methodology used in determining whether a release of regulated substances has occurred from a petroleum storage tank or system into the environment or into the interstitial area between the underground storage tank system and its secondary barrier.

"Repair" means to restore to proper operating condition a tank, pipe, spill prevention equipment, overfill prevention equipment, corrosion protection equipment, release detection equipment or other UST system component that has caused a release of product from the UST system or has failed to function properly.

"Residential tank" is a tank located on real property used primarily for dwelling purposes.

"Retail facility" means a service station, convenience store or any other facility selling a PSTD regulated substance that is open to the general public.

"Secondary containment" means an underground storage tank and/or piping with inner and outer barriers which provide a space for interstitial (the space between the inner and outer walls of a double walled tank or piping) monitoring.

"Tampering" means willful intention in an attempt to deceive, cheat or misrepresent facts to the public. Tampering also presents a risk to the environment as well as public health, safety and welfare.

"Tank tightness testing" or **"precision testing"** means a procedure for testing an underground storage tank system's integrity.

"Temporary out of use" or **"TOU"** means the status of an underground storage tank system that has been taken out of service/use with the intent to permanently close or return to service.

"TPH" means total petroleum hydrocarbons.

"Underground storage tank" or **"UST"** "storage tank" as defined in 17 O.S. § 303(40) that has ten percent (10%) or more of its volume beneath the surface of the ground.

"Underground storage tank system" means a closed-plumbed system including, but not limited to the underground storage tank(s), the individual storage tank compartments, the lines, dispenser for a given product, containment sump, if any, and ancillary equipment or a delivery truck that is connected to the storage tank system.

"Used Motor Oil" is any spent motor oil removed from a motor vehicle.

Clarifying the definition of a corrosion expert, adding a new definition for an OCC licensed tester, and striking a definition for terminology not used in the rules.

PART 5. SCOPE OF RULES

165:25-1-21. Overview of applicability and enforcement

This Chapter applies to owners, operators, their employees and agents of all underground storage tank systems for which the Commission has been given regulatory responsibility by 27A O.S. ~~(Supp. 1999)~~ § 1-3-101(E)(5)~~(b)~~(a) and 17 O.S. § 301 et seq.

Correcting statutory references.

PART 9. NOTIFICATION AND REPORTING REQUIREMENTS

165:25-1-48. Tank and line tightness testing

(a) Tank and line tightness testing results in which any part of the tank system tested does not pass must be reported to the PSTD within twenty-four (24) hours by the owner, operator, their employees or agents, and also independently by the person or company performing the test. Complete test results must be submitted within seven (7) days of testing.
(b) Tank tests must include both the wetted portion and ullage portion of the tank.
(c) Hydrostatic line tightness tests and line leak detector tests must be conducted by a ~~certified~~ licensed tester, if applicable, in accordance with manufacturer's instructions, and reported on the prescribed PSTD form.
(d) The licensed tester performing line and leak detector tests must also certify that the line leak detector is installed properly.
(e) All personnel performing tank and line testing must have the required license, education, experience, knowledge and competence to correctly perform testing services in accordance with the testing equipment, manufacturer certification and applicable industry standards or codes.
(f) Tank and line tightness testing must be scheduled by submitting the PSTD scheduling form in the established online format and PSTD staff may be present.

Grammatical and punctuation corrections for regulatory text, and tightness testing must be performed by a licensed tester.

PART 11. RECORDKEEPING

165:25-1-53. Availability of records

(a) Owners and operators of underground storage tank systems regulated by this Chapter must cooperate with PSTD requests for submission of records.
(b) Each owner/operator must provide written notice of any address change within thirty (30) days to the PSTD office.
(c) All leak detection records, including but not limited to, sampling, testing, inventory and monitoring records, must be available on site for each tank for the preceding three (3) years. Emergency generator tanks at unmanned locations are not required to keep leak detection records at the facility, and may forward any required records to the PSTD office or upon request to the PSTD Fuel Specialist.
(d) Copies of the following records must be readily available to, or emailed and received by, the PSTD Fuel Specialist before the inspection is completed:

(1) Tank tightness tests, thirty (30) day inventory reconciliation, statistical inventory reconciliation, vapor or groundwater monitoring, automatic tank gauge tests, and interstitial monitoring results that demonstrate compliance with release detection for

tanks.

(2) Line tightness tests, electronic line tests, all sensor and alarm history results, and line leak detector function tests that demonstrate compliance with release detection for lines.

(3) Installation and repair records for spill containment, overfill prevention, tank and piping construction must be maintained for three (3) years and readily available to PSTD.

(4) Cathodic protection records specified in this Subchapter (OAC 165:25-1-56), tank lining certificates, and any other records that demonstrate compliance with corrosion protection for the tank system must be maintained and readily available to PSTD.

(5) Current owner and tank system registration and current permit for all tanks located at the facility.

(6) Current certificate(s) of training for all classes of operators.

(7) Records that document compatibility with underground petroleum storage tank systems storing regulated substances containing greater than ten percent (10%) ethanol or twenty percent (20%) biodiesel. These records must be maintained at the facility for as long as the tank system is used to store these substances.

(8) Beginning October 13, 2018, owners and operators must maintain records of annual operation and maintenance tests on the electronic and mechanical components of release detection equipment. Records must be maintained for three (3) years and at a minimum must list each component tested, indicate whether each component needed to have action taken and describe any action taken to correct the issue. ~~Walkthrough inspections, spill and overfill testing as well as containment sump testing are also required beginning October 13, 2018, and at least every three (3) years thereafter.~~Records of 30-day and annual walkthrough inspections and containment sump testing must be maintained according to the requirements in OAC 165:25-1-60. Records of overfill inspections and spill prevention equipment testing must be maintained according to the requirements in OAC 165:25-1-57.

(9) A copy of the site assessment for groundwater or vapor monitoring must be kept at the facility for as long as this method is used as release detection.

(b) Failure to have the required records available upon request by PSTD may result in enforcement action. Release detection records, overfill prevention equipment inspection records, spill prevention equipment testing records, and containment sump testing records must be maintained on Commission forms.

Clarifying recordkeeping for walkthrough inspections, sump, spill and overfill testing, and citing the rules where the specific requirements can be found.

PART 11. RECORDKEEPING

165:25-1-56. Release detection and cathodic protection records

(a) Owners and operators of underground storage tank systems regulated by this Chapter must maintain release detection records for three (3) years.

(b) Owners and operators of underground storage tank systems regulated by this Chapter who use cathodic protection ("CP") must maintain the following records.

(1) Original cathodic protection design with drawings, plans, description of materials used, and suitability study depicting all of the cathodic protection system components in accordance with National Association of Corrosion Engineers (NACE) RP0285.

(2) Rectifier readings for impressed current systems conducted at least every 60 days on the appropriate OCC form.

(3) Results of the last three inspections or cathodic protection system tests completed by a licensed corrosion protection tester.

(c) If observation wells are used as release detection, the PSTD approved site assessment must be maintained on site.

(d) Written documentation of all calibration, maintenance, and repair of release detection equipment permanently located on-site must be maintained for at least three (3) years after the servicing work is completed. Any schedules of required calibration and maintenance provided by the release detection equipment manufacturer must be retained for five (5) years from the date of installation.

Adding an abbreviation for cathodic protection, and corrosion protection systems testing must be performed by a licensed CP tester.

PART 17. LICENSING PROCEDURES

165:25-1-100. Licensing procedures for Testers

(a) Any individual who would like to become an OCC Licensed Tester must submit the following in accordance with a format established by PSTD:

(1) Complete the OCC application form.

(2) Submit applicable certifications for the type of testing they wish to be licensed for.

(3) Sump testing, sensor testing, spill bucket testing and overfill testing will require proof that applicant has passed the PEI RP 1200 exam.

(4) Tank testing, line testing, corrosion protection testing, leak detector testing, and ATG testing applicants must provide certifications.

(5) Fees must be paid in accordance with OAC 165:5.

(b) No individual shall test an UST system unless that individual is licensed as required by this rule.

New rule and procedures for licensing storage tank testers.

165:25-1-107. License penalties

(a) The PSTD has the responsibility to deny, suspend, refuse to renew or revoke the license of, or reprimand, any licensee who is found in violation of:

(1) The practice of any fraud or deceit in obtaining a license or in performing work pursuant to this Chapter.

(2) Any gross negligence, incompetence or misconduct in work performed pursuant to this Chapter.

(3) Knowingly making false statements or signing false statements, certificates or affidavits to the PSTD or to clients.

(4) Aiding or assisting another person in violating any provision of this Chapter.

(5) Signing a verification statement for work performed pursuant to this Chapter that was not performed by the licensee.

(6) Engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm a customer or the public.

(7) Failure to comply with this Chapter, OAC 165:26, OAC 165:27, OAC 165:29, and/or the Oklahoma Petroleum Storage Tank Consolidation Act (17 O.S. §§ 301 et seq.) may result in PSTD seeking a suspension and/or revocation of the license.
(8) Being under indictment or convicted of a felony for any criminal offense that impacts their obligation to PSTD.

(b) Failure to submit required PSTD paperwork, test results, and/or reports in the online format established by PSTD within the required timeframe may result in enforcement action.
(c) Disciplinary action levels against PSTD licensees include but are not limited to informal reprimand, formal reprimand, license suspension, license revocation and refusal to renew.
(d) Any licensee in violation of Commission enabling statutes, PSTD rules, requirements and/or Commission orders may be subject to disciplinary action levels mentioned above and/or fines assessed by the Commission after notice and hearing.

Clarifying that the Chapter references are Administrative Code citations.

SUBCHAPTER 2. GENERAL REQUIREMENTS FOR UNDERGROUND STORAGE TANK SYSTEMS

PART 1. CODES AND STANDARDS

165:25-2-2. Incorporated codes and standards

Specific references to documents are made in this Chapter. Each of these documents or part thereof is included by reference as a standard. New editions of codes and standards supersede all previous editions. Commission rules will supersede in all conflicts between PSTD rules and any industry standard. These codes and standards will be updated periodically through a formal rulemaking procedure initiated by PSTD to reflect any substantive or relevant changes.

(1) National Fire Protection Association Standards:
  (A) Standard Number 30, 2021, "Flammable and Combustible Liquids Code."
  (B) Standard Number 329, 2020, "Handling Releases of Flammable and Combustible Liquids and Gases."
  (C) Standard Number 385, 2022, "Tank Vehicles for Flammable and Combustible Liquids."
  (D) Standard Number 326, 2020, "Safeguarding Tanks and Containers for Entry, Cleaning and Repair."
  (E) Standard Number 30A, 2021, "Motor Fuel Dispensing Facilities and Repair Garages."
(2) American Petroleum Institute Standards
  (A) Recommended Practice 1615, "Installation of Underground Petroleum Storage Systems." Sixth Edition, April 2011, Reaffirmed May 2020.
  (B) Recommended Practice 1632, "Cathodic Protection of Underground Storage Tank and Piping Systems." Third Edition, May 1996, Reaffirmed December 2010.
  (C) Recommended Practice 1604, "Closure of Underground Petroleum Storage Tanks." Fourth Edition, February 2021.
  (D) Recommended Practice 1631, "Interior Lining and Periodic Inspection of Underground Storage Tanks." Fifth Edition, June 2001, Reaffirmed May 2020.

(E) Recommended Practice 1621, "Bulk Liquid Stock Control at Retail Outlets." Fifth Edition, May 1993, Reaffirmed May 2020.

(F) Recommended Practice 1626, "Storing and Handling Ethanol and Gasoline - Ethanol Blends at Distribution Terminals and Filling Stations." Second Edition, August 2010, Errata February 2011, Addendum August 2012, Reaffirmed May 2020.

(G) Recommended Practice 1627, "Storing and Handling of Gasoline - Methanol/Cosolvent Blends at Distribution Terminals and Service Stations." First Edition, August 1986, Reaffirmed January 2000.

(H) Publication 1628, "A Guide to the Assessment and Remediation of Underground Petroleum Releases." Third Edition, July 1996.

(I) Recommended Practice 2200, "Repairing Hazardous Liquid Pipelines." Fifth Edition, September 2015.

(J) Standard 2015, "Requirements for Safe Entry and Cleaning of Petroleum Storage Tanks." Eighth Edition, January 2018.

(K) Recommended Practice 1637, "Using the API Color Symbol System to Identify Equipment, Vehicles, and Transfer Points for Petroleum Fuels and Related Products at Dispensing and Storage Facilities and Distribution Terminals. Fourth Edition, April 2020.

(3) National Association of Corrosion Engineers:

(A) Standard Number SP0169-2013, "Control of External Corrosion on Underground or Submerged Metallic Piping Systems."

(B) Standard Number SP0285-2021, "External Corrosion Control of Underground Storage Tank Systems by Cathodic Protection."

(C) Standard Number SP0286-2007, "Electrical Isolation of Cathodically Protected Pipelines."

(D) International Test Method, TM 0101 2012, "Measurement Techniques Related to Criteria for Cathodic Protection of Underground Storage Tank Systems."

(E) International Test Method, TM 0497 2022, "Measurement Techniques Related to Criteria for Cathodic Protection on Underground or Submerged Metallic Piping Systems."

(4) Underwriter's Laboratory Standards:

(A) Standard UL58, 2018, "Steel Underground Tanks for Flammable and Combustible Liquids."

(B) Standard UL1316, 2018, "Glass-Fiber-Reinforced Plastic Underground Storage Tanks for Petroleum Products, Alcohols, and Alcohol-Gasoline Mixtures."

(C) Standard UL1746 Bulletin 2013, "External Corrosion Protection Systems for Steel Underground Storage Tanks."

(D) Standard UL567, 2021, "Emergency Breakaway Fittings, Swivel Connectors and Pipe-Connection Fittings for Petroleum Products and LP-Gas."

(E) Standard UL971 ~~Bulletin 2011~~2021, "Nonmetallic Underground Piping for Flammable Liquids."

(5) American Society for Testing Materials:

(A) ASTM E1739-95 (2015), "Standard Guide for Risk-Based Corrective Action Applied at Petroleum Release Sites."

(B) ASTM G158-98 (2016), "Three Methods of Assessing Buried Steel Tanks."

(6) Petroleum Equipment Institute:

(A) PEI/RP ~~100-20~~100-22 ~~(2020 Edition)~~(2022 Edition) "Recommended Practices for Installation of Underground Liquid Storage Systems."

(B) PEI/RP 400-18 (2018 Edition), "Recommended Procedures for Testing Electrical Continuity of Fuel Dispensing Hanging Hardware."

(C) PEI/RP 500-19 (2019 Edition), "Recommended Practices for Inspection and Maintenance of Motor Fuel Dispensing Equipment."

(D) PEI/RP 900-21 (2021 Edition), "Recommended Practices for the Inspection and Maintenance of UST Systems."

(E) PEI/RP 1000-22 (2022 Edition) "Marina Fueling Systems"

(F) PEI/RP 1200-19 (2019 Edition), "Recommended Practices for the Testing and Verification of Spill, Overfill, Leak Detection and Secondary Containment Equipment at UST Facilities."

(G) PEI/RP 1300-20 (2020 Edition), "Recommended Practices for the Design, Installation, Service, Repair and Maintenance of Aviation Fueling Systems."

~~(G)~~(H) PEI/RP 1700-18 (2018 Edition), "Recommended Practices for the Closure of Underground Storage Tank and Shop-Fabricated Aboveground Storage Tank Systems."

(4) Steel Tank Institute:

(A) STIP3®, "Specification and Manual for External Corrosion Protection of Underground Steel Storage Tanks."

(B) STI-R892-91, "Recommended Practice for Corrosion Protection of Underground Piping Networks Associated with Liquid Storage and Dispensing Systems."

(C) STI-R894-91, "Specification for External Corrosion Protection of FRP Composite Underground Steel Storage Tanks."

(D) RP-972-10, "Recommended Practice For The Addition of Supplemental Anodes to STI-P3 USTs."

(E) STI-ACT-100-U®, F961, "Specification for External Corrosion Protection of Composite Steel Underground Storage Tanks".

(F) STI-F841, "Standard for Dual Wall Underground Steel Storage Tanks."

(G) STI-F922, "Specification for Permatank®."

(H) RP-R051, "Cathodic Protection Testing Procedures for STI-P3® Underground Storage Tank Systems."

(5) Factory Mutual 1920, "Flexible Pipe Couplings."

(6) National Leak Prevention Association (NLPA) Standard 631, "Spill Prevention, Minimum 10 Year Life Extension, Existing Steel UST by Lining without Additional Cathodic Protection."

(7) National Groundwater Association, 1986, "RCRA Ground Water Monitoring Technical Enforcement Guidance Document (TEGD)."

(8) U.S. Environmental Protection Agency Office of Water, 1997, Drinking Water Advisory: "Consumer Acceptability Advice on Health Effects Analysis on Methyl Tertiary- Butyl Ether (MTBE)."

(9) Ken Wilcox Associates, Inc., First Edition: "Recommended Practice for Inspecting Buried Lined Steel Tanks Using a Video Camera."

(10) NLPA/KWA Standard 823, "Preventative Maintenance, Repair and In-situ Construction of Petroleum Sumps."

Updating standards to current edition and adding the standard for aviation tank systems.

PART 3. DESIGN AND INSTALLATION

165:25-2-39. Spill and overfill protection

(a) Owners and operators of underground storage tank systems, their employees or agents, as well as those who transport regulated substances to these systems must do everything reasonably possible to ensure that releases due to spilling and overfilling do not occur.

(b) Owners, operators, their employees or agents, or transporters must ensure that the volume available in the tank (ullage) is greater than the volume of product to be transferred to the tank before the transfer is made and that the transfer operation is monitored constantly to prevent overfilling and spilling.

(c) Tight fill connections must be used on all deliveries made to underground storage tanks.

(d) Tampering with overfill protection is not permitted. Any violation of this Section will be subject to the enforcement procedures of this Chapter resulting in fines, contempt proceedings, and/or shutdown of operations as provided by law.

(e) Except as provided in ~~(e)~~(h) of this Section, in order to prevent spilling and overfilling associated with product transfer to the petroleum storage tank system, the following prevention equipment must be used:

(1) Spill prevention equipment that will prevent release of product to the environment when the transfer hose is detached from the fill pipe (for example, a spill bucket).

(2) Overfill prevention equipment that will automatically shut off flow into the tank when the tank is no more than ninety-five percent (95%) full.

(A) A drop tube with overfill device is required on all tank systems installed after July 1, 2001.

(B) Tanks installed before July 1, 2001, must be upgraded to meet these standards before July 1, 2002, unless equipped with an operational ball float overfill device. Use of ball floats is prohibited with suction systems. Staff may require a ball float functionality test.

(C) Ball float valves that are inoperable cannot be repaired and instead must be replaced with a drop tube with flapper valve, or

(D) A mechanism to prevent overfilling by sounding an alarm when the liquid level in the tank reaches ninety percent (90%) of capacity and by automatically stopping the delivery of liquid to the tank when the level in the tank reaches ninety-five percent (95%) of capacity.

(f) On new installations, overfill prevention equipment must be inspected for proper operation at installation and at least once every three (3) years thereafter. Existing systems must inspect overfill prevention equipment for proper operation by October 13, 2018 and at least once every three (3) years thereafter by a licensed tester. When inspecting, owners and operators must at a minimum ensure the overfill prevention equipment is set to activate at the correct level in the tank and will activate when regulated substances reach that level. Overfill prevention equipment and spill prevention equipment testing must be scheduled by submitting the PSTD scheduling form in the established online format and PSTD staff may be present.

(g) On new installations, spill prevention equipment must be tested for liquid tightness at installation and at least once every three (3) years thereafter by a licensed tester or use a double-walled spill bucket with periodic interstitial monitoring that is monitored at least every thirty (30) days. Existing systems must test spill prevention equipment for liquid tightness by October 13, 2018 and at least once every three (3) years thereafter or use a double-walled spill bucket with periodic interstitial monitoring that is monitored at least every thirty (30) days.

(h) The spill and overfill prevention equipment specified in ~~(d)~~(e) of this Section is not required if the underground storage tank system is filled by transfers of no more than twenty-five (25) gallons at one time.

(i) Owners and operators must contain and immediately clean up any spill or overfill of regulated substances less than twenty-five (25) gallons within twenty-four (24) hours of incident occurrence. If the spill or overfill cannot be cleaned up within twenty-four (24) hours, is more than twenty-five (25) gallons, or it causes a sheen on nearby surface water, then owners and operators must report to the PSTD within twenty-four (24) hours and begin corrective action in accordance with Part 5 (Corrective Action Requirements) in Chapter 29 of Commission rules.

Spill and overfill equipment testing must be performed by a licensed tester, testing must be scheduled using PSTD's online format, and correcting subsections referenced in the rule.

165:25-2-40. Installation testing

(a) All tanks must be tested with air pressure prior to installation, and/or tested according to manufacturer's specifications. Pressure must not exceed 5 pounds per square inch (psi). The entire tank must be soaped during this period and inspected for bubbling.

(b) All suction piping must be tested while disconnected from the tank, pumps, and dispensing units. The piping must be subjected to an air test with the following specifications:

(1) The piping must be subjected to an air test of at least 50 psi for a period of one hour.

(2) All piping joints must be soaped while the system is under pressure, in order to detect any possible leaks.

(3) As an alternative to the preceding methods in (1) and (2) above, the piping may be subjected to a vacuum test while connected to tanks, pumps and dispensing units.

(c) Pressurized piping must be tested while connected to tanks and pumps. The piping must be subjected to an air test of at least 50 psi.

(1) Air test secondary piping for a period of one hour, using the test pressure prescribed by the piping manufacturer.

(2) Apply soap solution to all joints and piping surfaces and inspect for leaks.

(d) All piping should be air tested and monitored continuously during the installation.

(e) Tightness (also called precision) testing of the entire system must be performed after all paving over the tanks and piping has been completed and before the system is placed in operation:

(1) A precision tightness test must be performed by a ~~certified~~ licensed tester, and in accordance with manufacturer's instructions; or

(2) The following alternative to a precision tightness test will be accepted, but only if conducted before the system is put into service:

(A) A certified ATG capable of detecting a leak of 0.10 gallons per hour must be used to test the filled portion of the tank and

(B) A precision tightness test of the ullage portion of the tank must be completed by a licensed tester.

(3) Testing of both interstice and primary tank of a double wall tank as specified by tank manufacturer must be performed.

(4) Primary tank openings, manways and risers must be tested during the installation of all double wall tanks.

(5) The product line(s) must be hydrostatically tested by a licensed tester using a NWGLDE approved testing device capable of detecting a leak of 0.10 gallons per hour at one and one-half times the operating pressure and tested in accordance with the testing devices third party

certification.
(6) Mechanical and electronic leak detector(s) must be tested for function by simulating a leak and operate in accordance with manufacturer's specifications.
(7) If an ATG system with electronic line leak detector(s) is installed, it must complete a leak detector test in each of the modes in which it is certified as capable of detecting a leak (e.g. 3 gph, 0.2 gph and 0.1 gph).
(8) Containment sumps must be tested at installation by the licensed UST Installer or a licensed tester after all piping and conduit has been installed along with spill prevention equipment (spill buckets) by using vacuum, pressure, or liquid testing in accordance with one of the following criteria:
(A) Requirements developed by the manufacturer (owners and operators may use this option only if the manufacturer has developed requirements); or
(B) Code of practice developed by a nationally recognized association or independent testing laboratory, e.g., PEI RP 1200.

Tank and line tightness testing must be performed by a licensed tester at installation, clarifying that containment sumps must be tested by either the licensed UST Installer or a licensed tester at installation, and a grammatical correction.

PART 5. PROTECTION AGAINST CORROSION

165:25-2-53. Frequency and criteria of inspections and tests

(a) All cathodic protection systems must be tested within six (6) months of installation and/or repair, and at least once every three (3) years thereafter by a licensed cathodic protection tester.
(b) Cathodic protection testing, repair, or three (3) year recertification must be scheduled ~~at least 24 hours before~~ by submitting the PSTD scheduling form and PSTD staff may be present.
(c) Every sixty (60) days impressed current cathodic protection systems must be inspected by the owner or owner's designated representative to ensure the equipment is working properly.
(d) The criteria ~~that are~~ used to determine whether cathodic protection is adequate must be in accordance with a code of practice developed by a nationally recognized organization, such as NACE RP-0285.
(e) All personnel performing cathodic protection system testing must have the required license, education, current corrosion certification, experience, knowledge and competence to correctly perform testing services in accordance with a certified course and applicable industry standards or codes.

Cathodic protection testing must be performed by a licensed CP tester at least once every 3 years, striking redundant regulatory text, and grammatical and punctuation corrections.

PART 7. DISPENSERS

165:25-2-75.1. Display on dispenser

(a) Every dispenser or delivery device regulated by the Commission used for sale of motor fuel to the public must ~~legibly display the~~ have a label that clearly identifies every type of motor fuel offered for sale.
(b) Motor fuel containing fifteen percent (15%) ethanol, commonly referred to as E15, must be labeled as the following:

(1) The label is 3.625 inches (9.20 cm) wide x 3.125 inches (7.93 cm) long. “Helvetica Black” or equivalent type is used throughout. Use black letters on an orange background for the lower portion and the diagonal “Attention” field and use orange letters on a black background for the rest of the upper portion. Set vertical position and line spacing as appropriate for each field. The band at the top of the label contains the following:

(A) The band should measure 1.25 inch (3.175 cm) deep. The type in the band is centered both horizontally and vertically. The first line is the text “E15" and is in 42-point font. The second line is in 14-point font, at least 1⁄8 inch (.32 cm) below the first line and is in the text “Up to 15% ethanol”.

(B) The type below the black band is left-justified. The first line is the text: “Use only in” and is in 20-point font. The second line is a bullet point, in 14-point font, at least 1⁄8 inch (.32 cm) below the first line and is the text: “2001 and newer passenger vehicles.” The third line is a bullet point, in 14-point font, at least 1⁄8 inch (.32 cm) below the second line and is the text “Flex-fuel vehicles”. The fourth line is in 12-point font, at least 1⁄8 inch (.32 cm) below the first line and is the text “Don’t use in other vehicles, boats or gasoline-powered equipment. It may cause damage and is ***prohibited*** by Federal law.” The word “prohibited” is bold and italic.

~~(b)~~(c) Any other motor fuel must be displayed in accordance with 16 CFR Part 306.0 through 306.12, including Appendices; and sold as provided for by Commission rules and National Institute of Standards and Technology (NIST) Handbook 44, "Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices".

Clarifying regulatory text, adding the specifications for E15 labels (17 O.S. § 347 / SB255 effective November 1, 2023), correcting the next sequential subsection, clarifying other fuel labeling requirements.

PART 11. REPAIRS TO UNDERGROUND STORAGE TANK SYSTEMS

165:25-2-111. Repairs to underground storage tank systems

(a) Repairs to underground storage tank systems must prevent releases due to structural failure or corrosion for the remaining operational life of the system.

(b) Repairs shall be conducted by qualified personnel possessing the appropriate skills, experience, competence, and any required license or certification to complete the work in accordance with provisions of this Chapter.

(c) Any repair shall be properly conducted in accordance with a standard or code of practice developed by a nationally recognized association or independent testing laboratory.

(d) Requirements of this Section do not apply to routine and minor maintenance activities related to the tank and piping system.

(e) Following completion of repairs, a tank or line tightness test must be performed by a ~~certified~~ licensed tester and is required prior to returning tank or line to service.

(f) Repairs to secondary containment areas of tanks and piping used for interstitial monitoring and repairs to containment sumps used for interstitial monitoring of piping must have the secondary containment tested for tightness by a licensed tester within thirty (30) days following completion of the repair. This testing must be conducted according to the manufacturer's instructions or a code or practice developed by a nationally recognized association or independent testing laboratory.

(g) A tightness test of spill prevention equipment must be performed within thirty (30) days following repairs to such spill prevention equipment. This testing must be conducted by a licensed

tester according to the manufacturer's instructions or a code or practice developed by a nationally recognized association or independent testing laboratory.
(h) Overfill prevention equipment must be inspected within thirty (30) days following repairs to it to ensure it is operating properly. This inspection must be conducted according to the manufacturer's instructions or a code or practice developed by a nationally recognized association or independent testing laboratory.

After repairs a tightness test must be performed by a licensed tester.

PART 13. REMOVAL AND CLOSURE OF UNDERGROUND STORAGE TANK SYSTEMS

165:25-2-134. Requirements for returning to service/use

When an underground storage tank system is returned to service/use a tank tightness test, line tightness test, and a leak detector test must be performed by a ~~certified~~ licensed tester must be completed on the underground portion of temporarily closed systems prior to returning the system to service if it has been out of service/use for more than twelve (12) months. Any system failure will require either closure or upgrade of the failed portion. Additional testing shall be required on any portion of the tank system considered detrimental to release detection depending upon the type of tank system installed. Notify PSTD on the prescribed "Return to Service" form when returning a system to service/use along with copies of all testing and the tank registration fees.

Tank, line, and leak detector testing must be performed by a licensed tester when a tank system is returned to service.

165:25-2-136. Assessing the site at closure or change in service

(a) When permanent closure, a change in service, tank or line repair, and/or replacement is completed, the owner/operator must measure for the presence of a release where contamination is most likely to be present at the underground storage tank system site. Please refer to the UST Closure Sampling Requirements document on PSTD's website.
(b) ~~Please refer to the PSTD removal/closure/change of service sampling document on PSTD's website.~~ For tank systems containing petroleum product, analyses may be done for BTEX and TPH (GRO and/or DRO, whichever is appropriate), along with total lead, if appropriate.
(c) If contaminated soils, contaminated groundwater, or free product as a liquid or vapor is discovered, the owner must immediately begin corrective action in accordance with Chapter 29 of Commission rules.
(d) All sampling at closures must be under the supervision of a Licensed Environmental Consultant.

Clarifying when samples should be taken, adding the name of the sampling document and where it is located, striking redundant text, and clarifying sampling requirements set forth in Chapter 29.

SUBCHAPTER 3. RELEASE PREVENTION AND DETECTION REQUIREMENTS

PART 2. RELEASE DETECTION REQUIREMENTS AND METHODS

165:25-3-6.25. Interstitial monitoring

(a) For double-walled underground storage tank systems, the sampling or testing method must be capable of detecting a leak at least every thirty (30 days) through the inner wall in any portion of the tank that routinely contains product in accordance with the manufacturer instructions.

(b) On new installations, the containment sumps used for interstitial monitoring of piping must be tested at installation using a PSTD approved testing method that tests the sump above the highest penetration or sump sidewall seam. After initial testing, sumps must be tested at least once every three (3) years for liquid tightness or use double-walled containment sumps with periodic interstitial monitoring of the space between the two (2) walls of the sump at least every thirty (30) days. Records demonstrating compliance must be maintained for three (3) years.

(c) Existing systems must have the containment sumps tested for liquid tightness by October 13, 2018, and at least once every three (3) years thereafter or use double-walled containment sumps with periodic interstitial monitoring of the space between the two (2) walls of the sump at least every thirty (30) days. Owners and operators using a low liquid level test must ensure that when the sensor is activated the alarm activates, and verify the submersible pumps automatically shut off when the liquid activates the sensors. Sensors must be mounted and positioned at the lowest point in the sumps. Low liquid level UST sump testing must be performed according to the procedures set forth on the Commission's Containment Sump Alternative Test form. Records demonstrating compliance must be maintained for three (3) years.

(d) Beginning October 13, 2018, owners and operators must perform operation and maintenance tests on electronic and mechanical components of release detection equipment. This testing must be conducted according to the manufacturer's instructions or a code of practice developed by a nationally recognized association or independent testing laboratory. A test of the proper operation must be performed by a licensed tester at least annually and, at a minimum, as applicable to the facility, cover the following components and criteria:

(1) Automatic tank gauge and other controllers: test alarm, verify system configuration, test battery backup.

(2) Probes and sensors: inspect for residual buildup, ensure floats move freely, ensure shaft is not damaged, ensure cables are free of kinks and breaks, test alarm operability and communication with controller.

(3) Vacuum pumps and pressure gauges: ensure proper communication with sensors and controller.

(4) Hand-held electronic sampling equipment associated with groundwater and vapor monitoring: ensure proper operation.

(e) Owners and operators must maintain records of the annual operation tests for three (3) years. At a minimum, records must list each component tested, indicate whether each component meets the criteria listed above or needed to have action taken, and describe any action taken to correct an issue.

(f) Annual operation and maintenance tests on electronic and mechanical components of release detection equipment must be scheduled by submitting the PSTD scheduling form in the established online format and PSTD staff may be present.

Annual operation and maintenance testing of release detection equipment must be performed by a licensed tester, adding the next sequential subsection, and testing must be scheduled using PSTD's online format.

165:25-3-6.29. Monitoring requirements for piping

Underground piping that routinely contains regulated substances must be monitored for releases in a manner that meets the following requirements:

(1) **Pressurized piping.**

(A) All underground piping that conveys regulated substances under pressure must be equipped with a mechanical or electronic line leak detector installed and operated in accordance with this Chapter.

(B) New installations and facilities replacing a piping system must have a sump sensor, float or similar mechanical device at each tank, transition, and dispenser sump. Sensors should be mounted near the bottom of the sump(s) and accessible for annual testing.

(C) New installations and facilities replacing a piping system must have double-walled piping. The interstitial area of the piping must be open inside the sumps to allow fuel to drain into the sumps in the event that a leak occurs

(D) The underground pressure piping from the master dispenser to the satellite must be designed and installed so that the satellite piping is tested by the automatic line leak detector. An annual line tightness test is required on the satellite underground piping.

(2) **Suction piping.**

(A) Suction piping installed after July 1, 2008 must be double-walled piping. The interstitial area of the piping must be open inside the sumps to allow fuel to drain into the sumps in the event that a leak occurs.

(B) New installations and facilities replacing a piping system must have a sump sensor, float or similar mechanical device at each tank, transition, and dispenser sump. Sensors should be mounted near the bottom of the sump(s) and accessible for annual testing.

(3) **Methods of release detection for pressurized piping.** Each method of release detection for piping must be done in accordance with the following requirements.

(A) Mechanical line leak detectors and annual line tightness testing.

(i) An annual function test of the operation of the leak detector must be conducted by simulating a leak.

(ii) A hydrostatic line tightness test must be done annually by a ~~certified~~ licensed tester. The product line(s) must be hydrostatically tested by a NWGLDE approved testing device capable of detecting a leak of 0.10 gallons per hour at one and one-half times the operating pressure and tested in accordance with the testing devices third party certification.

(B) Sump sensors with automatic line leak detectors.

(i) Double walled piping with sump sensors, floats or similar mechanical devices at each sump may be used in lieu of annual line tightness testing except at marinas where a line tightness test is required by April 1st of each year.

(ii) The sump sensors, floats or other mechanical devices used must be tested annually. Sensors status and alarm history reports must be printed and retained or use an interstitial monitoring form every thirty (30) days for systems installed after July 1, 2008.

(iii) An annual function test of the operation of the leak detector must be conducted by simulating a leak.

(C) Electronic line leak detection. A certified electronic line leak detector may be used in lieu of a mechanical line leak detector and annual tightness test only if:

(i) The system is capable of detecting and tests for a leak of three (3) gallons per hour before or after each operation of the submersible turbine pump; and

(ii) The system is capable of detecting and tests for a leak of 0.2 or 0.1 gallons per hour at least once every thirty (30) days; and

(iii) The system is capable of detecting and tests for a leak of 0.1 gallons per hour annually, AND the system is function tested annually by simulating a leak, and if necessary, calibrated.

(4) **Methods of release detection for suction piping.**

(A) Safe Suction Piping. No release detection is required for suction piping installed on or prior to July 1, 2008 if it is designed and constructed to meet (i) through (iv) below:

(i) The below-grade piping operates at less than atmospheric pressure.

(ii) The below-grade piping is sloped so that the contents of the pipe will drain back into the storage tank if the suction is released.

(iii) One (1) check valve is included in each suction line.

(iv) The check valve is located directly below and as close as is practical to the suction pump.

(B) Tri-annual Line Tightness Testing. Underground piping that conveys regulated substances under suction must have a line tightness test conducted at least every three (3) years by a ~~certified~~ licensed tester.

(C) Sump sensors.

(i) Double walled piping with sump sensors, floats or similar mechanical devices at each sump may be used in lieu of tri-annual line tightness testing except at marinas where a line tightness test is required by April 1st of each year.

(ii) The sump sensors, floats or other mechanical devices used must be tested annually by a licensed tester according to manufacturer's requirements. Sensors status and alarm history reports must be printed and retained or use an interstitial monitoring form every thirty (30) days for systems installed after July 1, 2008.

Line tightness testing must be performed by a licensed tester.

SUBCHAPTER 8. SPECIAL REQUIREMENTS FOR UNDERGROUND STORAGE TANK SYSTEMS UTILIZED BY MARINAS

PART 1. GENERAL APPLICATION AND COMPLIANCE PROVISIONS

165:25-8-2. Release detection requirements for marinas

Monitoring requirements for product lines, at a minimum, must consist of an annual line tightness test conducted no later than April 1st of each year by a licensed tester.

Tightness testing on piping located at marinas must be performed by a licensed tester.

APPENDIX S. FIELD CITATIONS TABLE

*Field Citation Table fine amounts will be used when Field Citations are issued, and may be used as a suggested fine amount in a Formal Enforcement Action, not to exceed the statutorily set limitations in 17 O.S. § 311(A).

Rule	Violation	Fine Amount
Registration & Permit Requirements		
165:25-1-41	Failure to amend registration within 30 days to reflect changes or tank status	$500
165:25-1-42	Failure to register tanks within 30 days of bringing the system into service	$500
165:25-1-42	Operating a tank without a valid permit	$1,000
165:25-1-51	Failure to amend registration within 30 days to reflect change in ownership	$500
165:25-1-64	Failure to pay permit fees prior to due date	Not > 50% of fee
165:25-1-126	Failure to certify training for all operator classes, per owner not facility	$500
165:25-1-126	Second offense within 12 months Third offense thereafter, formal enforcement	$1,000
Notification Requirements		
165:25-1-41	Failure to properly identify all storage tank systems in the online format established by PSTD after second request, including a letter advising tank owner of the penalty	$1,000
165:25-1-42	Failure to notify PSTD prior to tank installation	$500
165:25-1-42	Failure to provide installation information in the online format established by PSTD after second request, including a letter advising tank owner of the penalty	$1,000
165:25-1-48	Failure to report tank and line tightness test results as required	$500
165:25-2-131	Failure to notify PSTD prior to tank and/or line closure	$500
165:25-3-7.1	Failure to report to PSTD within 24 hours of discovering any PSTD regulated substances, conditions or monitoring results that indicate a reportable release may have occurred or a spill or overfill over 25 gallons has occurred	$250
Required Reports		

Rule	Violation	Fine Amount
165:25-1-41	Failure to submit required PSTD paperwork, test results, and/or reports in the required online format and timeframe	$250
	Second offense	$500
	Third offense	$750
165:25-1-55(c)	Failure to submit tank closure report within 45 days	$250
165:25-3-8(d)	Failure to submit required reports pertaining to suspected release investigations and/or corrective action activities in a timely manner	$250
	Second offense for same case or facility number	$500
	Third offense for same case or facility number	$750
General Leak Detection Requirements		
165:25-1-53 165:25-1-54	Failure to retain records of calibration, maintenance, and/or repair of release or leak detection equipment	$250
165:25-1-53(c)	Failure to maintain results of sampling, testing, or monitoring	$250
165:25-1-53(d)(1)	Failure to maintain records of release or leak detection monitoring	$250
165:25-3-6.20	Failure to provide adequate release or leak detection for storage tank system	$250 (per period)
	Second offense or formal enforcement	$500
	Third offense or formal enforcement	$1,000
165:25-3-6.21	Failure to use an approved method of release or leak detection method for tanks	$250
165:25-3-6.23	Failure to use a licensed technician for monitoring vapor wells as required	$250
165:25-3-6.24	Failure to use a licensed technician for monitoring groundwater wells as required	$250
165:25-3-6.29	Failure to use an approved method of release or leak detection monitoring for piping	$250
Spill Protection & Overfill Prevention		
165:25-2-39(e)(1)	Tank owner/operator accepting delivery into UST without spill protection	$1,000
165:25-2-39(e)(2)	Tank owner/operator accepting delivery into UST that does not have overfill prevention	$1,000
Operation & Maintenance of Corrosion Protection		
165:25-1-56(b)	Failure to maintain records of cathodic protection installation, repair, inspections or testing	$250

Rule	Violation	Fine Amount
165:25-1-56(b)(1)	Failure to provide cathodic protection system design or suitability study	$1,000
165:25-2-51	Tank owner/operator accepting delivery into a UST that does not have a required corrosion protection system	$1,000
165:25-2-52 165:25-2-53 165:25-2-53.1	Failure to properly operate and maintain corrosion protection, inspect tank lining, or make necessary repairs	$150
	Second offense or formal enforcement	$500
	Third offense or formal enforcement	$1,000
165:25-2-53(a)	Failure to test cathodic protection system within 6 months of installation or repair	$250
165:25-2-53(a)	Failure to use a ~~qualified~~ licensed cathodic protection tester to certify corrosion protection system operation at least once every 3 years	$500
	Second offense or formal enforcement	$1,000
165:25-2-53(c)	Failure to properly and/or timely test corrosion protection every 60 days	$250 (per period)
Release Investigation		
165:25-3-7.1	Failure to clean up a spill or a spill resulting from overfill over 25 gallons	$500
165:25-3-8	Failure to investigate a spill or a spill resulting from overfill over 25 gallons	$100
165:25-3-8	Failure to conduct tightness test(s) to investigate suspected leak(s) from the storage tank system as required	$250
Temporary Closure		
165:25-2-133(a)(1)	Failure to operate and maintain corrosion protection in a temporarily closed storage tank system as required	$500
165:25-2-133(c)(2)	Failure to provide adequate release or leak detection as required in a temporarily closed storage tank system	$250
165:25-2-133(c)(3)	Failure to properly vent a temporarily closed storage tank system as required	$250
165:25-2-133(c)(4)	Failure to cap and secure all storage tank related equipment for temporary closure	$250
Permanent Closure		
165:25-2-131(d)	Failure to use a PSTD licensed UST Remover	~~$500~~ $5,000
165:25-2-135	Failure to remove tank system that has been out of service in excess of 12 months and does not comply with the requirements as stated in 165:25-2-133 and 165:25-2-134	$500/tank

Rule	Violation	Fine Amount
165:25-2-136	Failure to measure for the presence of a release before permanent closure as required	$500
165:25-2-136(d)	Failure to use a PSTD licensed Environmental Consultant	$500
165:25-5-1	Failure to upgrade UST with CP by December 1998 deadline or remove tank within 12 months of December 1998 deadline	$500/tank
Operation & Maintenance		
165:25-1-53(d)(8)	Failure to provide records of annual operation and maintenance tests of release detection	$250
165:25-1-57(b)	Failure to provide records of overfill prevention inspections and spill prevention equipment testing	$250
165:25-1-60	Failure to provide records of walkthrough inspections	$250
Repairs		
165:25-1-54	Failure to maintain repair records for operating life of storage tank	$250
165:25-2-36 165:25-2-111	Failure to use a PSTD licensed UST Installer or repair person for installation or repair as required	~~$500~~ $5,000
	Second offense (per owner, not per facility)	$1,000
165:25-2-40 165:25-2-111	Failure to perform tightness test on storage tank system after installation or repair	$300
Other Violations		
165:15-7-1	Misrepresentation of octane level per location	$500
	Second offense within one year	$1,000
	Third offense – Closure and formal enforcement	$5,000
Administrative Penalty	Any owner/operator of a storage tank system who fails to comply with any requirement or order issued by the Commission for corrective or enforcement actions may be subject, after notice and hearing, to a fine in an amount as allowed by law.	

Updating regulatory text for CP testers, and updating the amount of the fine that PSTD attorneys are currently recommending for failure to use a PSTD Licensed UST Remover for tank removal.